

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

1LT EHREN K. WATADA,

Petitioner,

NO. C07-5549 BHS

VS.

LT. COL. JOHN HEAD, Military Judge,
Army Trial Judiciary, fourth Judicial
District; LT. GEN. CHARLES JACOBY,
Convening Authority, Ft. Lewis,
Washington;

**STIPULATION FOR ORDER
EXTENDING PETITIONER'S
TIME TO FILE REPLY TO
GOVERNMENT'S RESPONSE TO
SECOND AMENDED PETITION
FOR WRIT OF HABEAS CORPUS;
ORDER THEREON**

Respondents.

WHEREAS Petitioner, pursuant to a Scheduling Order entered herein on May 22, 2008 (Dkt. 23), is required to file his Reply to the Government's Response to Petitioner's Second Amended Petition for Writ of Habeas Corpus on or before Thursday, September 4, 2008; and

STIPULATION FOR ORDER EXTENDING
RESPONDENTS' TIME TO FILE RESPONSE TO
SECOND AMENDED PETITION FOR WRIT OF
HABEAS CORPUS; ORDER THEREON - 1

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1 WHEREAS, on August 11, 2008, this Court previously extended the time for the
2 Government to file its Response to Petitioner's Second Amended Petition for Writ of
3 Habeas Corpus from August 11, 2008 to August 19, 2008 (Dkt. 28);

4 WHEREAS, on August 15, 2008, this Court then granted leave to the Government
5 to file a Response that exceeded the applicable page limit from 24 to 38 pages (Dkt. 31);

6 WHEREAS, the Government's overlength Response raised issues that had never
7 previously been briefed by either party in these proceedings, and expanded the scope of
8 this Court's review;

9 WHEREAS, Petitioner's counsel, James E. Lobsenz, will be out of the office and
10 out of state for the entire week of September 1, 2008, and co-counsel, Kenneth S. Kagan,
11 will be out of the office and out of state on September 3rd, 4th, and 5th;

12 WHEREAS, for these reasons, Petitioner is in need of an extension of time until
13 Tuesday, September 16, 2008, to file his Reply to the Government's Response to the
14 Second Amended Petition; and

15 WHEREAS, the Respondents do not object to this request;

16 NOW THEREFORE the parties, through their respective attorneys of record, do
17 hereby stipulate and agree that the Court may make and enter an Order extending the time
18 within which Petitioner must file his Reply to the Government's Response to Petitioner's
19 Second Amended Petition for Writ of Habeas Corpus to Tuesday, September 16, 2008.

20 SO STIPULATED.

21 STIPULATION FOR ORDER EXTENDING
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DATED this 28th day of August, 2008.

s/ Kenneth S. Kagan

Kenneth S. Kagan, WSBA No. 12983

James E. Lobsenz, WSBA No. 8787

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

s/ Kenneth S. Kagan

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ORDER

IT IS SO ORDERED.

DATED this 28th day of August, 2008.

Benjamin H. Seeley

BENJAMIN H. SETTLE
United States District Judge

STIPULATION FOR ORDER EXTENDING
RESPONDENTS' TIME TO FILE RESPONSE TO
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